

FILED

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF OHIO

EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

RUSSELL DAVIS,

aka "Red",

Defendant.

) INDICTMENT

) 1 16 CR 260

) CASE NO.

) Title 21, §§ 841(a)(1) and (b)(1)(C),

) United States Code

JUDGE BOYKO

COUNT 1

The Grand Jury charges:

On or about March 7, 2016, in the Northern District of Ohio, Eastern Division, RUSSELL DAVIS, aka "Red," the defendant herein, did knowingly and intentionally distribute a mixture or substance containing a detectable amount of fentanyl, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

ENHANCED PENALTY UNDER TITLE 21,
UNITED STATES CODE, SECTION 841(b)(1)(C)

(Death or Serious Bodily Injury Resulting from Use of Controlled Substance)

The allegations of Count 1 are hereby re-alleged and incorporated herein. On or about March 7, 2016, in Lorain, Ohio, IND-1, a person whose identity is known to the Grand Jury, did fatally ingest and overdose on a controlled substance, namely fentanyl, which RUSSELL DAVIS, aka "Red," had distributed to IND-1.

As a result of RUSSELL DAVIS' distribution of fentanyl alleged in Count 1, death did result from the use of fentanyl, a Schedule II controlled substance.

All in violation of the enhanced penalty provisions of Title 21, United States Code, Section 841(b)(1)(C).

COUNT 2

The Grand Jury further charges:

On or about April 13, 2016, in the Northern District of Ohio, Eastern Division, RUSSELL DAVIS, aka "Red," the defendant herein, did knowingly and intentionally possess with the intent to distribute a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

FORFEITURE

The Grand Jury further charges:

For the purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853, the allegations of Counts 1 and 2 are incorporated herein by reference. As a result of the foregoing offenses, defendant RUSSELL DAVIS, aka "Red," shall forfeit to the United States any and all property constituting, or derived from, any proceeds he obtained, directly or indirectly, as the result of such violations; and any and all of his property used or intended to be used, in any manner or part, to commit or to facilitate the commission of such violations.

A TRUE BILL.

Original document -- Signatures on file with the Clerk of Courts pursuant to the E-Government Act of 2002.